

Committee on International Relations
Statement of Chairman Christopher H. Smith
Getting to “Yes”: Resolving the 30-Year Conflict over the
Status of Western Sahara

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In the 1950s and 1960s, dozens of former European colonies in Africa won their independence, changing forever the face of a continent in bondage since the scramble for Africa in 1800s. Some African colonies didn't win their independence until later, such as Angola and Mozambique in the 1970s and Zimbabwe and Namibia the 1980s. Majority rule didn't come to South Africa until the 1990s.

However, the wave of African independence left one new nation yet unborn. In the United Nations Decolonization Committee files, one case is left unresolved. The International Court of Justice ruled in 1975 that the Saharawi people of the territory known as Western Sahara had a right to determine their own future in a nation they would create from the colony ruled by Spain. Unfortunately, Spain did not honor its promise of a referendum for the Saharawis. Morocco and Mauritania decided to split Western Sahara between them, denying the Saharawis their chance to decide their own fate.

A war for Saharawi independence by a movement known as the Polisario Front ended Mauritania's claims on Western Sahara territory, but Morocco continues to consider Western Sahara as part of its sovereign territory. Morocco and the Polisario Front signed an agreement to hostilities

in 1991, which included an agreement to let the Saharawis hold a referendum on independence, but more than a decade of delays and subterfuge have left generations of Saharawis as refugees in a land not their own.

The tragedy of Western Sahara is that this 30-year-long dispute has denied the universal right to freedom and democracy to thousands of Saharawis. The world has seen some of the most dedicated negotiators abandon their efforts to find a solution in frustration over lack of progress. Six hundred million dollars has been spent by the UN Peacekeeping Mission in Western Sahara, MINURSO, in an attempt to hold the long promised referendum. Thousands of Saharawis have raised their children in desert camps outside of Tindouf in the western region of Algeria, far from home their homes in Western Sahara. Thousands of Saharawis still have no information about their fathers, brothers, and spouses who fought in the liberation war against Morocco, and soldiers on both sides have terrible stories of the tragedy of war and its bitter aftermath.

If there is hope, it lies in the agreements and confidence building measures the Moroccans and Polisario have successfully negotiated. Both parties signed and have abided by, with some exceptions, the cease-fire agreement of 1991. This past summer, the Polisario released all 404 remaining Moroccan POWs. Family visits, telephone calls and personal mail service by Saharawis have been under way since March 2004. Agreement among the parties has reunited more than 1,200 people from the refugee camps in Algeria and Western Sahara for exchanges in which family members saw one another for the first time in 30 years. Recently, the

Polisario announced that it would support the destruction of anti-personnel mines in Western Sahara, further committing itself to the cease-fire helping to insure the region will remain stable.

The 1975 ruling by the International Court of Justice was clear on this issue of Saharawi self-determination: Moroccan claims to the territory are without merit, and the Saharawi people have the right to decide whether they want to join the ranks of independent African nations. Yet so far, the ruling has not been implemented despite passionate pledges of support, a tremendous amount of resources spent by the international community, and the blood, sweat and tears of both Saharawis and Moroccans.

Morocco is one of America's longest-standing allies. Our relations with Morocco are separate from the issue of self-determination for the Saharawis. U.S. support for a referendum on Western Sahara does not mean our relationship with Morocco has changed. Rather, this support is an expression of our conviction that international law and the right of people to be free must be upheld.

Today's hearing by the Subcommittee on Africa, Global Human Rights and International Operations will focus on why efforts to bring about a referendum have consistently been postponed over the years. This hearing also will examine the state of human rights in Western Sahara territory now governed by Morocco and the question of the international community's continuing involvement in the effort to resolve the dispute over Western Sahara sovereignty. I look forward to the testimony of all of our witnesses

to learn how Congress can help the parties finally reach a just, lasting and mutually acceptable solution.